

**MUNICIPAL COUNCIL OF THE CITY OF PLAINFIELD
PLAINFIELD, NEW JERSEY
REGULAR MEETING AGENDA**

DATE: WEDNESDAY, MARCH 19, 2008
TIME: 8:00 P.M.
**PLACE: MUNICIPAL COURT-COUNCIL CHAMBERS
325 WATCHUNG AVENUE**

AT THE REGULAR MEETING, A SEGMENT WILL BE PROVIDED FOR PUBLIC COMMENTS, LIMITED TO RESOLUTIONS, MOTIONS AND ORDINANCES TO BE INTRODUCED ON FIRST READING, WHICH APPEARS ON THIS EVENING'S AGENDA PRIOR TO CITY COUNCIL ACTION ON ANY ITEM THAT MAY BE APPROPRIATE FOR PRESENTATION TO THE GOVERNING BODY.

MUNICIPAL COUNCIL MEMBERS

PRESIDENT

AND

COUNCILMAN-AT-LARGE

Honorable Harold Gibson

COUNCILMAN-AT-LARGE, SECOND AND THIRD WARDS

Honorable Rashid Burney

CHAIR, COMMITTEE OF THE WHOLE

AND

COUNCILWOMAN-AT-LARGE, FIRST AND FOURTH WARDS

Honorable Linda Carter

COUNCILMAN, THIRD WARD

Honorable Don Davis

COUNCILMAN FIRST WARD

Honorable William Reid

COUNCILMAN, FOURTH WARD

Honorable Elliott Simmons

COUNCILMAN, SECOND WARD

Honorable Cory Storch

MUNICIPAL CLERK

*Honorable Laddie Wyatt, RMC/CMC/MMCA
Clerk of the Council*

MAYOR

Honorable Sharon M. Robinson-Briggs

CITY ADMINISTRATOR

Marc D. Dashield



CORPORATION COUNSEL

Daniel A. Williamson, Esq.

FOR SPECIAL ASSISTANCE, PLEASE CALL (908) 753-3223.

WELCOME TO YOUR CITY COUNCIL MEETING

CITY COUNCIL SEATING DIAGRAM

CORY STORCH SECOND WARD	RASHID BURNEY AT-LARGE SECOND & THIRD WARDS	LINDA CARTER COMMITTEE-OF- THE-WHOLE AT-LARGE FIRST AND FOURTH WARDS	HAROLD GIBSON COUNCIL PRESIDENT CITY AT LARGE ALL WARDS	DON DAVIS FIRST WARD	ELLIOTT SIMMONS FOURTH WARD	WILLIAM REID FIRST WARD
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To help you understand the workings of the Plainfield City Council, we have prepared this summary of Council procedures. We hope this information will help you understand the actions of your Council and our progress in keeping Plainfield a City for the year 2007.

THE CITY COUNCIL

Under the new Charter adopted in 1968, the seven member City Council is the City's governing body. Pursuant to Section 2-2-9 of the Municipal Code, the Council meets at Municipal Court-Council Chambers, 325 Watchung Avenue, the 1st and 3rd Monday of every month at 8:00 p.m and Pursuant to section 2:11 the Plainfield City Council shall meet on the 1st and 3rd Wednesday's of every month, except from June through August and November as amended.

ORDINANCES

City Council action may take either the form of an ordinance or a resolution. Ordinances are municipal legislation, usually of permanent effect, enacted by the Council. There is a specified procedure for passing an ordinance. First, it must be brought up at an Agenda Fixing Session, at which time the Council decides whether or not to introduce it at the next public meeting. The Formal introduction of an ordinance requires four votes. Following introduction, the ordinance is published in the Courier-News and (or) Star Ledger with reprints available at the City Clerk's Office. Two weeks later, the item is read again, and a public hearing is held for citizens who want to address the Council on the matter in question. After the hearing, the Council votes upon the ordinance, four votes being required for passage. The ordinance must then be signed by the Mayor, and takes effect 20 days later. (Some ordinances require a two-thirds vote, or the approval of another body, such as the Planning Board, before final Council action.)

RESOLUTIONS

Many official actions of the City may be accomplished by a resolution of the Council.

These include approval of the annual budget, zoning variances, contracts, Mayoral appointments, and other miscellaneous matters. Resolutions must be brought up at an Agenda Fixing Session, and except for the annual budget, do not require a public hearing, or a second reading. Usually, they are read by title at the public meeting, voted upon, and take effect immediately. In infrequent cases, where the Council considers a resolution of major importance, or of some controversy, the Council may grant a request for an informal public hearing before a vote is taken.

GENERAL PUBLIC COMMENTS

General Public Comments is granted at the end of every Council meeting, at which time, any Plainfield citizen may address the Council on any matter of concern. There is a thirty (30) minute time limit allotted for all public comments. Large groups are urged to select someone to represent them.

EXECUTIVE SESSION

Occasionally, the Council may find it necessary to briefly interrupt a public meeting to hold an executive conference. Generally, this is done because one or more Councilmen desire further clarification of an item on the agenda. Executive sessions, however, are informal discussions. In no case can the Council take official action behind closed doors.

AGENDA FIXING SESSION

Before an action is taken at a public meeting, it is presented, explained and thoroughly discussed by the Council at an Agenda Fixing Session. Thus, if the discussion at the public meeting seems somewhat brief, it is because the Council has already spent one or more evenings discussing the items on the agenda. Agenda sessions are open to the public, and you are invited to attend and listen to the discussion. Agenda Sessions are held the Monday prior to the public meeting, at 7:30 p.m. in the City Hall Library, 515 Watchung Avenue.

Laddie Wyatt,
Municipal Clerk
1/08

ORDER OF BUSINESS FOR THE PLAINFIELD CITY COUNCIL

THE HONORABLE HAROLD GIBSON, PRESIDING

1. ROLL CALL:

PRESIDENT TO ANNOUNCE:

THE NOTICE REQUIREMENT PROVIDED FOR THE "OPEN PUBLIC MEETING LAW" HAS BEEN SATISFIED. NOTICE WAS PROPERLY GIVEN, SAID NOTICE HAVING BEEN PUBLISHED IN THE COURIER-NEWS ON *SATURDAY, MARCH 15, 2008* AND THE STAR-LEDGER ON *FRIDAY, MARCH 14, 2008* AS WELL AS POSTING ON THE BULLETIN BOARD IN THE CITY CLERK'S OFFICE.

2. PLEDGE OF ALLEGIANCE:

3. INVOCATION:

4. APPROVAL OF MINUTES:

Regular Meeting of February 21, 2008

4A. CEREMONIAL MATTERS:

LEGISLATIVE CITATIONS, COMMENDATIONS AND OTHER SPECIAL AWARDS:

- ❖ COUNCILMANIC RESOLUTION ISSUED TO THE HONORABLE SHARON M. ROBINSON-BRIGGS DURING WOMEN'S' HISTORY MONTH IN RECOGNITION OF UNION COUNTY'S 2008 WOMEN OF EXCELLENCE FOR SERVICE AND CONTRIBUTIONS IN PUBLIC EDUCATION AND MUNICIPAL GOVERNMENT.
- ❖ COUNCILMANIC RESOLUTION SALUTING THE HONORABLE LADDIE WYATT DURING WOMEN'S HISTORY MONTH AS A SIGNAL HONOREE OF UNION COUNTY'S 2008 WOMEN OF EXCELLENCE CELEBRATION FOR LIFETIME ACHIEVEMENT IN MUNICIPAL GOVERNMENT AND DISTINGUISHED COMMUNITY SERVICE.

5. COMMUNICATIONS FROM THE MAYOR:

- ❖ CORRESPONDENCE FROM HER HONOR, THE MAYOR ADDRESSED TO THE CITY COUNCIL REQUESTING ADVICE AND CONSENT TO THE APPOINTMENT OF REVEREND TRACEY L. BROWN, 1434 JEAN TERRACE, TO SERVE AS A COMMISSIONER (ALTERNATE #1) ON THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY TO SUCCEED JOANNE SLOANE FOR THE UNEXPIRED TWO (2) YEAR TERM ENDING 02/01/2010. SAID TERM IS EFFECTIVE IMMEDIATELY UPON ADOPTION AND CONFIRMATION OF OATH OF OFFICE.

6. OTHER COMMUNICATIONS AND PETITIONS:

NONE

7. **REPORT OF SPECIAL COMMITTEES:**

NONE

8. **UNFINISHED BUSINESS:**

NONE

9. **CONSIDERATION OF PUBLIC HEARING, SECOND READING & FINAL PASSAGE:** CONSIDERATION OF ORDINANCES FOR ADOPTION ON SECOND READING:

MC 2008 - 05 AN ORDINANCE AMENDING THE SCHEDULE OF SALARIES AND WAGES ADOPTED PURSUANT TO ARTICLE 14, CHAPTER 11 OF THE MUNICIPAL CODE OF THE CITY OF PLAINFIELD, NEW JERSEY 1971 (SALARY AMENDMENT) FIREMEN MUTUAL BENEVOLENT ASSOCIATION/FIRE OFFICERS ASSOCIATION (FOA) LOCAL 7 - **PERSONNEL DIVISION.**

MC 2008 - 06 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2, ARTICLE 7, DEPARTMENT OF PUBLIC AFFAIRS AND SAFETY OF THE MUNICIPAL CODE OF THE CITY OF PLAINFIELD, ABOLISHING THE POSITION OF POLICE CHIEF AND CREATING THE POSITION OF POLICE DIRECTOR - **CORPORATION COUNSEL.**

MC 2008 - 07 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2, ARTICLE 7, DEPARTMENT OF PUBLIC AFFAIRS AND SAFETY OF THE MUNICIPAL CODE OF THE CITY OF PLAINFIELD - **CORPORATION COUNSEL.**

9(A). **PUBLIC COMMENTS, LIMITED TO RESOLUTIONS, MOTIONS, AND ORDINANCES TO BE INTRODUCED ON FIRST READING:**

NEW BUSINESS

10. **CONSENT AGENDA:**

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ALL MATTERS LISTED WITH AN (*) ARE CONSIDERED TO BE ROUTINE AND NON-CONTROVERSIAL BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION ON THESE ITEMS UNLESS A COUNCILMEMBER OR CITIZEN SO REQUESTS, IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY UNDER NEW BUSINESS IN ITS NORMAL SEQUENCE LATER ON THE AGENDA.

APPROVAL OF CONSENT AGENDA:

RESOLUTION NUMBERS **R 160-08** THRU **R 165-08**; **R 168-08**; AND **R 170-08** THRU **R 180-08** ARE LISTED ON THE CONSENT AGENDA SEGMENT WITH AN ASTERISK* TO BE APPROVED AND THAT EACH SPECIFIC ACTION ON THE CONSENT AGENDA BE APPROVED AS INDICATED.

11. RESOLUTIONS AND MOTIONS:
NEW BUSINESS:

LEGISLATIVE BODY

- *R 160-08** COUNCILMANIC RESOLUTION AUTHORIZING APPROVAL OF APPLICATION(S) BASED ON THE FINDINGS AND DETERMINATION FOR ISSUANCE OF CERTAIN **BINGO**/RAFFLE LICENSES RECOMMENDED BY THE CHIEF OF POLICE (**THE KOINONIA ACADEMY**) – CITY CLERK (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- *R 161-08** CEREMONIAL RESOLUTION TO BE PRESENTED TO MAYOR SHARON ROBINSON-BRIGGS AT THE UNION COUNTY COMMISSION ON THE STATUS OF WOMEN ANNUAL AFFAIR HONORING OUTSTANDING WOMEN ON FRIDAY, MARCH 28, 2008 TO BE HELD AT THE WESTWOOD IN GARWOOD, NJ (SEE ITEM 4A.)
- *R 162-08** CEREMONIAL RESOLUTION TO BE PRESENTED TO CITY CLERK LADDIE WYATT AT THE UNION COUNTY COMMISSION ON THE STATUS OF WOMEN ANNUAL AFFAIR HONORING OUTSTANDING WOMEN ON FRIDAY, MARCH 28, 2008 TO BE HELD AT THE WESTWOOD IN GARWOOD, NJ (SEE ITEM 4A.)
- *R 163-08** COUNCILMANIC RESOLUTION GRANTING PERMISSION FOR A STREET AND SIDEWALK ENCROACHMENT TO THE BILINGUAL DAYCARE CENTER AND CHILDCARE AGENCIES WITHIN THE CITY OF PLAINFIELD TO HOLD A PARADE IN CELEBRATION OF THE MONTH OF THE YOUNG CHILD TO BE HELD APRIL 24, 2008 (RAIN DATE: MAY 1, 2008) – CITY CLERK (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- *R 164-08** COUNCILMANIC RESOLUTION GRANTING PERMISSION TO THE JULY 4TH PARADE COMMITTEE FOR A STREET AND SIDEWALK ENCROACHMENT TO HOLD ITS JULY 4TH PARADE LUNCHEON ON FRIDAY, JULY 4, 2008 FROM 1:00 PM – 4:00 PM IN OR ABOUT HUGO'S RESTAURANT 108 CHURCH STREET, CITY OF PLAINFIELD – CITY CLERK (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- *R 165-08** COUNCILMANIC RESOLUTION GRANTING PERMISSION FOR A STREET AND SIDEWALK ENCROACHMENT TO THE DIVISION OF RECREATION TO HOLD THE ANNUAL GEORGE "GEE-GEE" BROWN MEMORIAL BASKETBALL TOURNAMENT ON JULY 25 – 27, 2008 FROM 12:00 PM – 8:00 PM – CITY CLERK (CORRESPONDENCE PREVIOUSLY SUBMITTED).
- R 166-08** COUNCILMANIC RESOLUTION APPROVING A PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL DISTRIBUTION LICENSE NO. 2012-44-010-003 FROM MITEN LIQUORS, INC., T/A FENROSE WINE & LIQUORS TO SHREE JAY, LLC, 431 WEST FRONT STREET, CITY OF PLAINFIELD – CITY CLERK (CORRESPONDENCE PREVIOUSLY SUBMITTED).
NON-CONSENT

ADMINISTRATION/EXECUTIVE BRANCH

- R 167-08** RESOLUTION GRANTING ADVICE AND CONSENT TO THE APPOINTMENT OF REVEREND TRACEY L. BROWN TO SERVE AS A COMMISSIONER (ALTERNATE #1) ON THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY TO SUCCEED JOANNE SLOANE FOR THE UNEXPIRED TWO YEAR TERM ENDING 02/01/2010 – **MAYOR (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
NON-CONSENT
- *R 168-08** RESOLUTION SUPPORTING THE UNION COUNTY LEAD HAZARD REDUCTION DEMONSTRATION GRANT PROGRAM – **CITY ADMINISTRATOR (CORRESPONDENCE PREVIOUSLY SUBMITTED).**

CORPORATION COUNSEL

- R 169-08** RESOLUTION AUTHORIZING LEGAL DEFENSE ON BEHALF OF POLICE OFFICER JOHN T. FURDA IN THE MATTER OF SIMPSON JUAN V. SUSAN SANCHEZ; SERGEANT GALLAGHER; JOHN FURDA; CITY OF PLAINFIELD; PLAINFIELD POLICE DEPARTMENT, ET ALS., CASE NO. 2:07-CV-5405 – **\$2,500.00 (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
NON-CONSENT

DEPARTMENT OF ADMINISTRATION & FINANCE

- *R 170-08** RESOLUTION AUTHORIZING APPROVAL TO ISSUE REFUNDS TO THE OWNERS OF SIX (6) PROPERTIES DUE TO OVERPAID TAXES AS LISTED HEREIN ON THE ATTACHED SCHEDULE C – **\$2,060.98 – TAX COLLECTOR (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
- *R 171-08** RESOLUTION AUTHORIZING APPROVAL TO ISSUE A REFUND TO THE OWNER OF PROPERTY KNOWN AS 726-30 PLAINFIELD AVENUE, BLOCK 505 LOT 4, DUE TO DUPLICATE PAID TAXES AS LISTED HEREIN ON THE ATTACHED SCHEDULE B – **\$1,500.80 – TAX COLLECTOR (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
- *R 172-08** RESOLUTION AUTHORIZING APPROVAL TO ISSUE REFUNDS TO THE OWNERS OF THREE (3) PROPERTIES DUE TO THE ALLOWANCE OF SENIOR CITIZEN DEDUCTIONS AS LISTED HEREIN ON THE ATTACHED SCHEDULE A – **\$750.00 – TAX COLLECTOR (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
- *R 173-08** RESOLUTION APPROVING AUTHORIZATION FOR THE PURCHASE OF AVAYA TELEPHONE SYSTEM EXTREME SWITCHES FROM OFFICE SOLUTIONS, INC., 217 MT. HOREB ROAD, WARREN, NJ UNDER STATE CONTRACT NO. A42285 – **\$92,569.00 – PURCHASING DIVISION (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
- *R 174-08** RESOLUTION AUTHORIZING APPROVAL FOR THE PURCHASE OF GOODS OR SERVICES FROM CERTAIN STATE APPROVED CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12A (VERIZON) – **PURCHASING DIVISION (CORRESPONDENCE PREVIOUSLY SUBMITTED).**

DEPARTMENT OF PUBLIC AFFAIRS & SAFETY

- *R 175-08** RESOLUTION AUTHORIZE APPROVAL TO CONDUCT A PUBLIC AUCTION OF ABANDONED OR UNCLAIMED MOTOR VEHICLES – **DIRECTOR'S OFFICE (CORRESPONDENCE PREVIOUSLY SUBMITTED).**

DEPARTMENT OF PUBLIC WORKS & URBAN DEVELOPMENT

- *R 176-08** RESOLUTION AUTHORIZING APPROVAL TO AMEND R 313-06, A PROFESSIONAL SERVICES CONTRACT ADOPTED JUNE 21, 2006 WITH CMX (FORMERLY SCHOOR DE PALMA), 20 WATERVIEW BLVD., PARSIPPANY TO REDUCE THE CONTRACT AMOUNT FROM \$92,910.00 TO AN AMOUNT NOT TO EXCEED \$80,000.00 DUE TO REDUCED SCOPE OF WORK ALLOWING \$12,910.00 TO BE APPLIED TO THE CONSTRUCTION COSTS FOR THE GRANT AVENUE RECONSTRUCTION PROJECT FROM WEST THIRD STREET TO STELLE AVENUE – **DIRECTOR'S OFFICE (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
- *R 177-08** RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NO. 2 (FINAL) FOR DEFINO CONTRACTING CO., RESULTING IN A CONTRACT DECREASE OF \$7,684.66 FOR THE SOUTH SECOND STREET ROADWAY RECONSTRUCTION PROJECT (PHASE II) FROM MORRIS STREET TO FRACE AVENUE RESULTING IN A FINAL INCREASE OF \$32,254.34 OR 10.15% ABOVE THE ORIGINAL CONTRACT AMOUNT – **DIRECTOR'S OFFICE (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
- *R 178-08** RESOLUTION AUTHORIZING APPROVAL OF CHANGE ORDER NO. 1 FOR DELLA PELLO PAVING CO., INC., RESULTING IN A CONTRACTUAL INCREASE OF \$154,951.65 FOR THE GRANT AVENUE ROADWAY RECONSTRUCTION PROJECT (SECTION II) – **DIRECTOR'S OFFICE (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
- *R 179-08** RESOLUTION AUTHORIZING APPROVAL TO ADOPT FISCAL YEAR 2008 OPERATING BUDGET FOR THE PLAINFIELD SID MANAGEMENT CORPORATION IN THE AMOUNT OF \$147,300.00 – **ECONOMIC DEVELOPMENT (CORRESPONDENCE PREVIOUSLY SUBMITTED).**
- *R 180-08** RESOLUTION AUTHORIZING APPROVAL FOR THE MAYOR AND THE CITY CLERK TO SUBMIT AN APPLICATION TO THE NEW JERSEY URBAN ENTERPRISE ZONE PROGRAM/ZONE ASSISTANCE FUND FOR FISCAL YEAR 2009 ADMINISTRATIVE BUDGET IN THE AMOUNT OF \$152,102.50 – **ECONOMIC DEVELOPMENT (CORRESPONDENCE PREVIOUSLY SUBMITTED).**

12. NEW ITEM(S):

NONE

13. INTRODUCTION OF ORDINANCES ON FIRST READING:

NONE

14. GENERAL PUBLIC COMMENTS:

ANY RESIDENT OR TAXPAYER OF PLAINFIELD IS WELCOME TO COMMENT ON ANY GOVERNMENTAL ITEM OF CONCERN TO THEM DURING THE GENERAL PUBLIC COMMENTS SEGMENT OF THE COUNCIL'S MEETING. CITIZENS MUST CLEARLY STATE THEIR NAME AND ADDRESS TO THE CLERK ONCE THE SPEAKER IS RECOGNIZED BY THE PRESIDING OFFICER TO SPEAK. A TOTAL OF THIRTY (30) MINUTES HAS BEEN ALLOCATED FOR ALL PUBLIC COMMENTS TO BE PRESENTED. LARGE GROUPS ARE URGED TO SELECT A SPOKESPERSON TO REPRESENT THEM. EACH PERSON IS ALLOCATED THREE (3) MINUTES TO SPEAK. THE PRESIDING OFFICER OR A MAJORITY ON THE COUNCIL MAY EXTEND THE LENGTH OF TIME ALLOCATED CUMULATIVELY OR INDIVIDUALLY.

NO SPEAKER SHALL ENGAGE IN ANY PERSONALLY OFFENSIVE, DEROGATORY OR ABUSIVE REMARKS. THE PRESIDENT SHALL IMMEDIATELY CALL TO ORDER ANY SPEAKER WHO VIOLATES THIS PROVISION. AN OFFICER FROM THE PLAINFIELD POLICE DIVISION MAY REMOVE ANY DISRUPTIVE PERSON AT THE DISCRETION OF THE PRESIDING OFFICER. PUBLIC COMMENT IS AN OPPORTUNITY FOR THE PUBLIC TO PRESENT THEIR VIEWS - BOTH POSITIVE AND NEGATIVE.

IT IS NOT A QUESTION AND ANSWER PERIOD. NEITHER THE PRESIDING OFFICER NOR COUNCIL MEMBERS WILL ENGAGE IN A BACK AND FORTH EXCHANGE SO SPEAKERS ARE ENCOURAGED TO PRESENT ALL THEIR VIEWS. THE PRESIDING OFFICER AS WELL AS ANY COUNCIL MEMBER MAY RESPOND TO ANY COMMENT AFTER SUCH SPEAKER IS FINISHED. THE PRESIDING OFFICER MAY REFER THE SPEAKER TO THE CITY ADMINISTRATOR OR AN APPROPRIATE DEPARTMENT HEAD AND ANY COUNCIL MEMBER MAY CHOOSE TO RESPOND IN WRITING TO INDIVIDUAL CITIZENS.

15. ADJOURNMENT:

TOTAL RESOLUTIONS = 21

TOTAL ORDINANCES = 3